

**IN THE SUPERIOR COURT
FOR THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

| | | |
|-----------------------------------|---|---------------------|
| ROMANY ERIAN MELEK HETTA |) | |
| |) | |
| |) | |
| Plaintiff, |) | Civil Action No. |
| v. |) | |
| |) | JURY TRIAL DEMANDED |
| MUSEUM OF THE BIBLE, INC. |) | |
| 7507 SW 44 th St. |) | |
| Oklahoma City, OK 73179; |) | |
| |) | |
| JANE DOE |) | |
| Identity and Address UNKNOWN; |) | |
| |) | |
| JOHN DOES A AND B |) | |
| Identities and Addresses UNKNOWN; |) | |
| |) | |
| and |) | |
| |) | |
| OFFICER DOES 1 AND 2 |) | |
| Identities and Addresses UNKNOWN, |) | |
| |) | |
| Defendants. |) | |
| |) | |

**COMPLAINT
(DC Human Rights Act – Public Accommodations; 42 U.S.C. § 1981 – Public
Accommodations; Fourth Amendment – Detention Without Probable Cause 42 U.S.C.
§1983; False Imprisonment; Defamation)**

INTRODUCTION

1. This civil rights litigation arises out of actions taken by the Museum of the Bible, Inc. and its agents, officers and employees in subjecting Plaintiff, a visitor to the Museum, to racial profiling, discrimination, humiliation, detention, false imprisonment, interrogation – targeting him because of his race, color, ethnicity and appearance. After subjecting Plaintiff to this abuse, the ordeal did not end there. The Museum then falsely and

baselessly reported him to the FBI as a terrorist threat causing him to be subject to a counter-terrorism investigation. The Museum publicly states that its mission is to “invite all people to engage with the history, narrative and impact of the Bible.” But its welcome apparently does not truly extend to *all* people. For Plaintiff, a Coptic Christian asylee with brown complexion and a beard, who sought such engagement, the Museum’s invitation was shockingly accompanied by racial profiling, false imprisonment and a referral to the FBI.

2. Plaintiff ROMANY ERIAN MELEK HETTA (“HETTA”) is an asylee living in the United States. Of Coptic Egyptian ethnicity and a practicing Christian, Mr. Hetta was forced to leave his home country of Egypt fleeing threats and persecution because of his religion. He came to America seeking a safe haven, sought refuge in the United States and was granted asylum because of religious persecution due to his Christian faith. Mr. Hetta works as a lecturer of Arabic language and also as a translator and media analyst.
3. On January 20, 2018, Plaintiff Hetta went to visit The Museum of the Bible in Washington, D.C. to meet up with a church youth group and a friend of his. Defendant MUSEUM OF THE BIBLE, INC. (“Museum” or “Bible Museum”) and other Defendants subjected Mr. Hetta to racial profiling and race discrimination, deprived him of full enjoyment, use, benefits, terms and conditions extended to other guests and invitees, seized, detained, falsely imprisoned, and interrogated Mr. Hetta, and publicly humiliated Mr. Hetta. Having unlawfully seized and surreptitiously copied his personal identifying information, the Museum of the Bible engaged in further racial and ethnic profiling and discrimination, prepared a defamatory dossier on Mr. Hetta, and then baselessly, falsely and with reckless disregard for the rights of Mr. Hetta, reported Mr. Hetta to the U.S.

Federal Bureau of Investigation as a security or terrorist threat. Defendants caused Mr. Hetta to be subject to an FBI counter-terrorism investigation, and caused his identity, personal information and image to be entered into a counter-terrorism investigation file, which now threatens his safety and status in the United States.

4. Mr. Hetta was seized, detained, falsely imprisoned, publicly humiliated, interrogated and discriminated against because of his ethnicity, race, color, personal appearance and national origin. Mr. Hetta has a brown complexion and a beard. Mr. Hetta has a Middle Eastern name. Based on racial and ethnic attributes Defendants caused Mr. Hetta to be consigned to a Kafkaesque nightmare that has now placed him in fear for his future and his security. He had hoped to find lasting refuge from religious persecution in the United States and make it his home. With assistance from Human Rights First and *pro bono* counsel, Mr. Hetta was able to obtain asylee status. He has a pending application for a Green Card. Mr. Hetta now lives in fear that the MUSEUM OF THE BIBLE and other defendants' illegal, unconstitutional and defamatory actions have jeopardized his ability to obtain a Green Card and to remain safe in the United States.
5. Mr. Hetta, by his attorneys, now challenges the discriminatory, illegal and unconstitutional conduct of the Museum of the Bible and its agents and employees.

JURISDICTION AND VENUE

6. The court has subject matter jurisdiction pursuant to D.C. Code § 11-921.
7. This court has jurisdiction over Defendants pursuant to D.C. Code §§ 13-422 and 13-423 because Defendant Museum of the Bible's principal place of business, the Museum of the Bible, is physically located in the District of Columbia, Defendants transact business and manage the Museum in the District of Columbia, Defendant Does are employed in the

District of Columbia, and a substantial part of the events or omissions giving rise to the claims occurred in the District of Columbia.

PARTIES

Plaintiff

8. Plaintiff ROMANY ERIAN MELEK HETTA is a thirty year old Coptic Christian who is a resident of the District of Columbia and who has been granted asylum in the United States, having fled persecution for his Christian faith in his home country of Egypt. While engaged in a visit to The Museum of the Bible, and thereafter, he was subjected to the harms, injuries and violations described herein.

Defendants

9. Defendant MUSEUM OF THE BIBLE, INC. is a corporation which owns and operates the Museum of the Bible at 400 4th St. SW, Washington, D.C. 20024. It was founded and funded by Steve Green, the CEO of Hobby Lobby. Mr. Green serves as Chairman of the Board of the Museum. The Museum's offices in Oklahoma are housed in a complex owned and shared by Hobby Lobby. The Museum of the Bible is competent to sue and be sued in the District of Columbia.
10. Defendant Jane Doe is and/or was, at all times relevant herein, an officer, employee and/or agent of the Museum of the Bible. At this time her identity is not known to Plaintiff. Upon information and belief, Defendant Jane Doe held a managerial position at the Museum. Upon information and belief Defendant Jane Doe jointly caused and participated in the decisions, harms and violations described herein.
11. Defendant John Doe A is and/or was, at all times relevant herein, an officer, employee and/or agent of the Museum of the Bible. At this time his identity is not known to

Plaintiff. Upon information and belief, Defendant John Doe A held a managerial position at the Museum. Upon information and belief, Defendant John Doe A jointly caused and participated in the decisions, harms and violations described herein.

12. Defendant John Doe B is and/or was, at all times relevant herein, an officer, employee and/or agent of the Museum of the Bible. At this time his identity is not known to Plaintiff. Upon information and belief, Defendant John Doe B is and/or was a director or manager of security for the Museum. Upon information and belief, Defendant John Doe B jointly caused and participated in the decisions, harms and violations described herein.
13. Defendants Officer Does #1 and #2 are and/or were, at all times relevant herein, officers, employees and/or agents of the Museum of the Bible. At this time the identities of Officer Does #1, and #2 are not known to Plaintiff. Officer Does, on information and belief, are commissioned by the District of Columbia as Special Police Officers, with the authority to arrest and detain persons, and were acting under color of state law when they arrested and/or detained and/or imprisoned Plaintiff, including in all actions related thereto. Upon information and belief, Defendant Officer Does jointly caused and participated in the decisions, harms and violations described herein.

FACTUAL ALLEGATIONS

14. On January 20, 2018, Mr. Hetta went to visit The Museum of the Bible and to meet up with a local church's youth group as well as a friend, also a Coptic Christian, who had recently come to Washington, D.C. Mr. Hetta booked tickets online for both himself and his friend in advance and printed out the tickets. The face of the ticket stated that Mr. Hetta was granted a "license" to enter and enjoy the Museum premises.
15. Mr. Hetta has a brown complexion and a beard.

16. When he entered the Bible Museum at approximately 12:40 p.m. he went through the Museum's security. The security set up at the Museum included metal detectors and bag screening machines. As it was a relatively warm January day, Mr. Hetta was not wearing a coat. He also did not carry a bag with him.
17. He had his ticket scanned and after taking a quick look around went back to the front area near the entrance to wait for his friend to arrive.
18. The front area near the entrance was filled with people milling about, standing, sitting on benches, and walking around.
19. As his friend was late, and after standing a while, Mr. Hetta took a seat on a bench within eyesight of the entrance so that he could see his friend when he entered.
20. Another person was sitting next to him on the bench.
21. As Mr. Hetta was sitting on the bench, a woman [Jane Doe] and a man [John Doe A] who appeared to be managerial staff for the Museum of the Bible approached Plaintiff. Both wore professional attire and both appeared to be white.
22. The woman, Jane Doe, appeared as the more senior of the two and projected authority. Mr. Hetta had earlier observed her giving instructions to an usher or a tour guide to smile more.
23. Jane Doe asked Mr. Hetta if he needed any help.
24. Mr. Hetta politely explained that he was waiting for his friend who had not yet arrived.
25. Not satisfied with his response, Jane Doe asked Mr. Hetta if there was anything they could do to help him reach his friend, if Mr. Hetta would call his friend or if they could call his friend.

26. Mr. Hetta further explained that he would not be able to reach his friend by phone because his friend did not have a cell phone plan. He explained that his friend did not have a phone plan because he was a recent arrival to the country. He said that he planned to wait for him a little longer.
27. John Doe A's demeanor was unfriendly, and he ended their communication by stating in a hostile tone, "Have a good day," and the two walked away.
28. Neither Jane Doe nor John Doe A, nor any other person, asked Mr. Hetta to stop sitting where he was. No instruction or request to move was made to Mr. Hetta.
29. Defendants singled out Mr. Hetta and questioned him because of his race, ethnicity, color and appearance.
30. Other people who were sitting on benches were not approached and questioned.
31. After waiting longer without his friend arriving, Mr. Hetta decided to tour the Museum on his own before the appointed time the church group was to meet up at the Museum's Milk and Honey café.
32. Mr. Hetta toured the Museum.
33. The church's youth group was planning to gather at the Bible Museum's Milk and Honey café around 3 p.m.. Mr. Hetta went to the café around that time to eat and meet the people from the local church.
34. After arriving at the café and purchasing food and drink, Mr. Hetta met a couple of church congregants and began chatting with them, and they all sat together in the café. As more people showed up they all moved to a larger table in the café to talk together.

35. Plaintiff Hetta was in the midst of sitting and socializing with the church group in the café when suddenly a security officer, Defendant Officer Doe 1, of the Bible Museum approached him at the table.
36. Defendant Officer Doe 1 was in uniform and had what appeared to be a wireless communication device on or near his shoulder.
37. Officer Doe 1 greeted the woman seated next to Mr. Hetta and then immediately addressed Mr. Hetta, directing him to come with him and gesturing with his body to move away from the table. Mr. Hetta complied with the Security Officer.
38. Mr. Hetta was acutely embarrassed and chagrined to be singled out of the group by the Bible Museum's security in front of everyone.
39. As they stood away from the table Officer Doe 1 began questioning Plaintiff Hetta.
40. The questions were based on information evidently provided by the two Museum agents, Jane Doe and John Doe A, who had approached Mr. Hetta earlier in the afternoon.
41. Officer Doe 1 asked Mr. Hetta why he was waiting earlier, where his friend was, and why his friend did not show up.
42. Plaintiff Hetta was surprised and taken aback by the questions and asked Officer Doe 1 why he was questioning him and stated that he didn't have the right to be asking him all these questions.
43. The officer responded by advising Mr. Hetta that he was on "private property." Officer Doe 1 then spoke quietly into his wireless device which appeared attached to his uniform.
44. Mr. Hetta noticed a different uniformed security officer opening or unlocking a closed door to a dark room near where they were standing.
45. Officer Doe 1 directed Mr. Hetta to state his full name. Mr. Hetta complied.

46. Once opening the door to the room, that other security officer approached Mr. Hetta and stood with Defendant Officer Doe 1 alongside Mr. Hetta.
47. Defendant Officer Doe 1 stated that they should talk inside the room and Mr. Hetta was escorted into the room by the two security officers.
48. Mr. Hetta did not feel that he was free to refuse to go as directed by the officers given their display of authority.
49. Once Mr. Hetta was inside the room Officer Doe 1 closed the door and stood in front of the door blocking it.
50. Mr. Hetta understood that he was not free to leave the room.
51. Shortly thereafter a man, Defendant John Doe B, who appeared to be a director or manager of security, who was wearing non-uniformed attire, entered the room.
52. Another uniformed security officer who was female, Defendant Officer Doe #2, entered the room as well.
53. Officers Doe #1 and #2 assumed and maintained positions so that they both were blocking the door.
54. Defendant Bible Museum security personnel, John Doe B in plain clothes, then began interrogating Plaintiff Hetta.
55. John Doe B, the plain clothed security official, was a large, heavyset white male. He did not introduce himself.
56. Mr. Hetta was questioned for approximately 20-25 minutes. He understood that he was not free to go, and he felt he did not have the freedom to refuse to answer Defendants' questions, that he had no choice as he was in their custody on their "private property" as it had been explained to him, and also given their show of authority.

57. The security official, John Doe B, questioned Mr. Hetta about who his friend was that he was planning on meeting; why the friend did not come and other related questions.
58. Mr. Hetta explained again why he was waiting, why he and his friend could not get a hold of each other, that his friend did not have a cell phone in the United States as he had only recently arrived in the country, and he explained that he assumed his friend was late because he was taking the Metro which was single-tracking on weekends.
59. The Museum's security official, John Doe B, questioned Mr. Hetta about the church group that he was socializing with at the café, including whether the church was "Christian." He also asked about its denomination and what kind of church it was.
60. During the interrogation, Defendant Bible Museum agents directed Mr. Hetta to provide them his identification. Mr. Hetta did not feel that he had the option not to comply.
61. Officer Doe #1 took Mr. Hetta's ID card and turned away from Mr. Hetta with it.
62. On information and belief, Officer Doe #1 surreptitiously photographed or otherwise copied Mr. Hetta's ID to collect his personal information into Defendant Museum's possession without notice to Mr. Hetta or Mr. Hetta's consent.
63. John Doe B told Mr. Hetta that Mr. Hetta was suspicious because of where he was sitting. He stated that Mr. Hetta was sitting where security could be observed at the entrance of the Museum.
64. Mr. Hetta had been sitting on a bench which clearly had been placed and located there by the Museum and which, by its evident function as a bench, invited use for sitting upon it.
65. Mr. Hetta was not the only person who sat on the bench located by the Museum by the entrance.

66. Mr. Hetta reiterated that two people had already questioned him when he was sitting on the bench and he had explained to them then that he was waiting for his friend.
67. The Museum's security director told Mr. Hetta that Mr. Hetta's remaining to wait for his friend on the bench after he had spoken to the two Museum officials was further indication that he posed a security threat.
68. Feeling embarrassed and threatened, Mr. Hetta stated that, to the contrary, it seemed unlikely that if a person was in fact a terrorist or intended harm they would remain sitting in that same location *after* being approached by Museum personnel.
69. The Museum's security official stated that a person who was not a smart terrorist would do just that.
70. Without prompting, Officer Doe #2 blurted out that they were "not racially profiling" him.
71. Officer Doe #1 told Mr. Hetta to provide his phone number.
72. The lead security official, John Doe B, quickly added that the phone number would be necessary for them to complete the report of the incident.
73. Mr. Hetta did not feel that he had an option not to comply as he was still imprisoned in the room with the doors blocked by uniformed security officers. He provided his phone number. He was hoping the interrogation would end and did not want to suffer further embarrassment for his prolonged absence from the church group nor intimidation from the interrogation in the closed room by security.
74. Mr. Hetta felt powerless, overwhelmed and in fear that the situation could cascade out of control and cause him great personal harm.

75. After approximately 20-25 minutes of detention and interrogation, Defendants released Mr. Hetta.
76. Officer Doe # 1 stated, “OK, you are free to go,” turned from his position blocking the doors and opened the door to the room to finally allow Mr. Hetta out.
77. Defendants trapped, detained and imprisoned Mr. Hetta with no articulable facts connecting Mr. Hetta to criminal activity and without probable cause.
78. Defendants denied Mr. Hetta equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of the Museum and the Milk and Honey café, and denied him the benefits, privileges, terms and conditions of contract and public accommodations based on race and ethnicity and also based on color, national origin, and personal appearance.
79. Mr. Hetta walked out and returned to the church group which was concluding its meet-up at the café. He was embarrassed and felt the burning flush of humiliation, that his face and ears had turned red.
80. One of the women in the church group asked him if everything was okay and Mr. Hetta tried to fake that everything was okay so as not to draw more attention and embarrassment to himself.
81. The group decided to go up on the roof of the Museum to see the views. He went with them, but felt such ongoing emotional distress, anxiety, and humiliation that he left shortly thereafter and went home.
82. When he arrived home and his phone connected with his Wi-Fi he saw that his friend had been trying to find him, and had called him from the phones of two of the security guards at the Museum entrance while he was being detained by the Museum.

83. Mr. Hetta was shaken by his experience at the Museum. After considering the events and after speaking with someone at church the next day, he decided to take action to report the discrimination he had encountered to U.S. authorities.
84. He looked up online and found that the Department of Justice's Civil Rights Division (DOJ) had information for reporting discrimination and determined that the category that fit his circumstances, according to the DOJ website, was discrimination in public accommodation. He followed the instructions on the page to report the incident.
85. Mr. Hetta had been subjected to racial profiling, false imprisonment, detention and interrogation, and had been denied the equal and full enjoyment of the Museum as a place of public accommodation.
86. Yet, Mr. Hetta's ordeal was not over.
87. After detaining Mr. Hetta and compelling him to provide his personal information, then seizing and maintaining a copy of his identification without his knowledge or consent, the Museum of the Bible thereafter continued to discriminate against and persecute Mr. Hetta.
88. The Museum conducted further inquiry into Mr. Hetta and took it upon itself to investigate him. The Museum conducted an unprofessional and reckless "investigation" into Mr. Hetta based on racial and ethnic profiling.
89. The Museum falsely advised the U.S. Federal Bureau of Investigation (FBI) that Mr. Hetta was a possible terrorist, security and/or criminal threat.
90. The Federal Bureau of investigation then opened a counterterrorism investigation into Plaintiff Hetta.

91. An FBI Agent with the Joint Terrorism Task Force contacted Mr. Hetta's housemate by phone and questioned him about Mr. Hetta.
92. When Mr. Hetta learned that the FBI had questioned his housemate he was shaken and became scared and worried.
93. He contacted the FBI right away and tried to track down the agent to learn what the inquiry was about and resolve any issues.
94. As he did not have the proper name or identification for the agent who had called his housemate he could not track him down.
95. He had trouble sleeping and suffered from intense anxiety about what it would mean for his safety and asylum status to have the FBI questioning people about him.
96. Approximately a week or two later, an FBI agent arrived without notice at Mr. Hetta's residence on the morning March 16, 2018. Mr. Hetta was not home. The Agent then questioned Mr. Hetta's landlord about Mr. Hetta.
97. Mr. Hetta was shocked to learn that the FBI had come to his home and that they had questioned his landlord about him. He was concerned as to the stigma such overt investigation carried with those who knew of it and worried that such a visit would jeopardize his housing. He was scared as to what such a visit might mean for himself and his future.
98. After the FBI agent visited, the agent emailed the landlord on the same day, March 16, 2018. The landlord provided the agent's contact information to Mr. Hetta who immediately contacted the FBI agent on that same day.
99. When Mr. Hetta spoke to the agent it became clear that Mr. Hetta was being investigated because Defendant Museum of the Bible had reported Mr. Hetta to the FBI as a potential

or actual terrorist or security threat. Mr. Hetta explained to the FBI agent that he had actually filed a complaint about the Museum with the Department of Justice and forwarded to him a copy of the complaint.

100. The FBI agent requested a meeting with Mr. Hetta which Mr. Hetta understood was to resolve the matter, to which Mr. Hetta agreed, determined to clear his name.

101. During that interview, at which Mr. Hetta's *pro bono* immigration counsel was present, the FBI Agent stated that he was looking into concerns that the Museum of the Bible had asserted about Mr. Hetta related to terrorism.

102. The Agent's questions to Mr. Hetta about his visit to the Museum of the Bible revealed that the Museum of the Bible had performed its own reckless and discriminatory "investigation" into Mr. Hetta.

103. Defendant Museum of the Bible advised the FBI that Mr. Hetta might be a terrorist or security threat because, among other things, Mr. Hetta used both of his legal names Hetta and Melek.

104. Both of these surnames are present on Mr. Hetta's legal identification cards.

105. Defendant Museum of the Bible further discriminated against Mr. Hetta based on race and ethnicity by asserting that the common naming system of the Arab world in which children are named with a chain of names including personal names and ancestral names reflecting lineage, which differs from the Anglo or European system of first/middle/last, was a marker for terrorism.

106. Defendant Museum of the Bible and its employees and agents engaged in discrimination against Mr. Hetta based on their determination that Mr. Hetta's name, reflecting his race, ethnicity and national origin, was a "red flag."

107. Defendants falsely imputed criminal or potentially criminal behavior or offense to Mr. Hetta and did so based on racial profiling. It did so without just cause or excuse.
108. Defendants acted in bad faith by reporting Mr. Hetta to the FBI.
109. Defendants defamed Mr. Hetta reporting him as a potential terrorist or security threat to the FBI with reckless disregard or indifference to the report's inaccuracy, falsity and effect on Mr. Hetta.
110. On information and belief, Defendants including Museum of the Bible, reviewed Mr. Hetta's social media and other online presences and created a dossier on Mr. Hetta.
111. Defendants including Museum of the Bible distilled images of Mr. Hetta from its closed circuit security cameras and presented them to the FBI.
112. Defendants including Museum of the Bible provided the FBI with a copy of Mr. Hetta's identification which it had taken and made without notice to or permission from Mr. Hetta.
113. Defendants including Museum of the Bible, caused this personal information to be entered into FBI counter-terrorism files.
114. As a consequence of the acts complained of herein, Plaintiff has suffered loss and injury including deprivation of constitutional rights, loss of liberty, humiliation, emotional distress, and unlawful deprivation of his protected rights to contract and exercise and enjoy equal treatment in a place of public accommodation without regard for race, ethnicity and/or color.

COUNT I
Discrimination in Violation of the D.C. Human Rights Act,
D.C. Code § 2-1401 *et seq.*

115. Paragraphs 1 - 114 are incorporated by reference as if set forth herein.
116. The D.C. Human Rights Act (“DCHRA”) makes it unlawful to “deny, directly or indirectly, any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodations” either “wholly or partially” on the basis of “actual or perceived” race, color, national origin, or personal appearance. D.C. Code § 2-1402.31. The Act mandates that “Every individual shall have an equal opportunity to participate fully in the economic, cultural and intellectual life of the District...” *Id.* § 2-1402.01
117. The Museum of the Bible is a place of public accommodation within the meaning of the DCHRA. D.C. Code § 2-1401.02(24).
118. Plaintiff Hetta was denied full and equal enjoyment of goods, services, facilities, privileges, advantages, and accommodations due to his race, color, national origin and/or personal appearance.
119. Mr. Hetta has been injured by Defendants’ unlawful conduct in violation of the DCHRA.
120. Individual Defendants were employees and/or agents of Defendant Museum of the Bible, Inc. acting within the scope of their employment at all times relevant to this complaint.
121. Defendant Museum of the Bible, Inc. is liable for the unlawful acts of its agents and employees directly and/or under the doctrine of *respondeat superior*.
122. As a result of this conduct Plaintiff has suffered damages.

123. Defendants' acts were accompanied by fraud, ill will, recklessness, wantonness, oppressiveness, and/or willful disregard of the known rights of Mr. Hetta entitling Plaintiff to punitive damages.

COUNT II
Violation of 42 U.S.C. § 1981
Discrimination Based on Race or Ethnicity

124. Paragraphs 1 - 123 are incorporated by reference as if set forth herein.

125. Under 42 U.S.C. § 1981, all persons within the United States are entitled to the right to make and enforce contracts and the right to enjoy all benefits, privileges, terms, and conditions of their contractual relationships.

126. Race discrimination is the formation and enforcement of contracts is prohibited under 42 U.S.C. § 1981.

127. Individual Defendants were employees and/or agents of Defendant Museum of the Bible, Inc. acting within the scope of their employment at all times relevant to this complaint.

128. Defendant Museum of the Bible, Inc. is liable for the unlawful acts of its agents and employees directly and/or under the doctrine of *respondeat superior*.

129. In targeting, detaining and interrogating Mr. Hetta, and in reporting Mr. Hetta to federal law enforcement agencies as a potential criminal, terrorist and security threat, Defendants engaged in intentional discrimination on the basis of Mr. Hetta's perceived race, color or ethnicity. In doing so, Defendants deprived Mr. Hetta of the use of the Museum and the Milk and Honey café without discriminatory conditions or consequences, and discriminated against Mr. Hetta in the making and enforcement of his contract with the

Museum of the Bible, Inc., including the ticket he obtained to visit and tour the Museum on January 20, 2018 and the purchase of food at the café.

130. Defendants' actions deprived Mr. Hetta of the right to make and enforce contracts and the right to enjoy the benefits, privileges, terms and conditions of contract and public accommodations regardless of his race or ethnicity, in violation of 42 U.S.C. § 1981.

131. Mr. Hetta suffered intentional discrimination from Defendant Museum of the Bible and Defendants Does, which singled him out as suspicious and a possible terrorist threat based on racial profiling and his ethnicity as also reflected by his name. Mr. Hetta is a member of a protected class under § 1981, who while visiting the Museum of the Bible, and thereafter, was deprived of his right to receive and enjoy the public accommodation and treated in a hostile and objectively discriminatory manner.

132. As a result of this conduct Plaintiff has suffered damages.

133. Defendants acted with reckless or callous indifference to Mr. Hetta's right to be free from discrimination in the making and enforcement of his contracts with the Museum of the Bible, entitling him to punitive damages.

COUNT III

False Imprisonment – Unlawful Detention

134. Paragraphs 1 - 133 are incorporated by reference as if set forth herein.

135. Defendant Museum of the Bible, Inc. and Defendant Does intentionally and unlawfully deprived Mr. Hetta of his liberty by detaining him for interrogation with no articulable facts connecting Mr. Hetta to criminal activity and without probable cause. These actions

constitute the tort of false imprisonment and unlawful detention under the laws of the District of Columbia.

136. As a result of this conduct Plaintiff has suffered damages.

COUNT IV

Violation of the Fourth Amendment – Unreasonable Seizure and Search (Fourth Amendments to the U.S. Constitution; 42 U.S.C. § 1983)

137. Paragraphs 1 - 136 are incorporated by reference as if set forth herein.

138. The Fourth Amendment to the U.S. Constitution prohibits unreasonable searches and seizures.

139. The detention and interrogation of Mr. Hetta violated his rights under the Fourth Amendment to the U.S. Constitution. *See also* 42 U.S.C. § 1983. The detention was in the absence of probable cause, reasonable suspicion, or lawful justification and constituted an unconstitutional false arrest, seizure and detention.

140. The search of Mr. Hetta and seizure of his identification and personal information violated his rights under the Fourth Amendment to the U.S. Constitution. *See also* 42 U.S.C. § 1983. The search and seizure was in the absence of probable cause, reasonable suspicion, or lawful justification and constituted an unconstitutional search and seizure.

141. Defendant Does are agents and/or employees of Defendant Museum of the Bible and acted within the scope of their employment.

142. Defendant Officer Does 1 and 2, on information and belief, are commissioned by the District of Columbia as Special Police Officers, with the authority to arrest and detain persons.

143. Defendant Officer Does 1 and 2 acted under color of state law when they arrested and/or detained and/or imprisoned Mr. Hetta, including in all actions related thereto.

144. Defendant Officer Does 1 and 2 collaborated to order and effectuate Mr. Hetta's detention and did so intentionally and unlawfully, detaining Mr. Hetta with no articulable facts connecting Mr. Hetta to criminal activity and without probable cause.
145. Defendants' conduct violated Mr. Hetta's clearly established constitutional right to be free from unreasonable seizure, search and detention.
146. Defendants acted with reckless indifference or callous disregard for Mr. Hetta's right to be free from unreasonable seizure, search and detention, thus entitling him to punitive damages.

Count V
Defamation

147. Paragraphs 1 - 146 are incorporated by reference as if set forth herein.
148. Defendants falsely told the FBI that Mr. Hetta posed a potential criminal, terrorist and/or security threat.
149. Defendant Museum of the Bible, Inc. and Defendant Does acted with negligence in racially profiling, targeting, investigating and reporting Mr. Hetta.
150. The defamatory statements and reporting were made without just cause or excuse and with conscious indifference or reckless disregard as to the result or effect upon the rights and feelings of Mr. Hetta.
151. Defendants acted in bad faith in reporting Mr. Hetta to the Federal Bureau of Investigation as a criminal, terrorist, or security threat.
152. Defendants actions caused harm to Plaintiff as described herein, and as a result of Defendants' conduct he has suffered damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant the following:

- a. Entry of a declaratory judgment that the conduct and actions described herein constitute violations of the District of Columbia Human Rights Act, D.C. Code § 2-1401.01 *et seq.*, 42 U.S.C. § 1981, and the Fourth Amendment to the U.S. Constitution, 42 U.S.C. § 1983, and violations of common law including false imprisonment and defamation;
- b. Require Defendant Museum of the Bible, Inc. to develop and implement policies, practices and procedures, including training of agents, subsidiaries, affiliates and employees, to ensure that persons are afforded full and equal enjoyment of Defendants' place of public accommodation;
- c. Entry of a mandatory injunction requiring the Museum of the Bible to destroy all files, including expunging electronic files, it created on Plaintiff; entry of a mandatory injunction requiring the Museum of the Bible to notify the FBI that it is retracting its false reporting of Mr. Hetta to the FBI and to take all reasonable efforts to seek to have the information it provided to the FBI, and information it caused the FBI to create, sealed or expunged;
- d. Award all available damages to Plaintiff, including, but not limited to, compensatory damages, as well as punitive damages in an amount that would punish Defendants for the willful, wanton, and reckless conduct alleged herein, and that would effectively deter similar conduct in the future;
- e. An award of Plaintiff's reasonable attorneys' fees and costs and expenses pursuant to 42 U.S.C. § 1988 and D.C. Code § 2-1403.13 and any other applicable statutes or rules or law; and

- f. Such other and further relief, including all appropriate and equitable relief, as this Court may deem just and proper.

January 17, 2019

Respectfully submitted,

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